

**ASSEMBLY BILL**

**No. 2650**

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**Introduced by Assembly Member Torrico**

February 19, 2010

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An act to amend Section 2653 of the Penal Code, relating to inmates.

LEGISLATIVE COUNSEL'S DIGEST

AB 2650, as introduced, Torrico. Inmates: medical treatment.

Existing law specifies procedures to be followed when a physician certifies in writing that a particular medical treatment is required for an inmate to prevent certain violations of law.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2653 of the Penal Code is amended to  
2     read:  
3     2653. (a) If a physician employed by the Department of  
4     Corrections ~~or the Department of the Youth Authority and~~  
5     Rehabilitation certifies in writing that a particular medical  
6     treatment is required to prevent a violation of Section 147, 673,  
7     2650, or 2652, or is required to prevent serious and imminent harm  
8     to the health of a prisoner, the order for that particular medical  
9     treatment may not be modified or canceled by any employee of  
10    the department without the approval of the chief medical officer  
11    of the institution or the physician in attendance unless an inmate

1 or ward has a known history of violent or otherwise disruptive  
2 behavior that requires additional measures to protect the safety  
3 and security of the institution specified in writing by the warden  
4 or superintendent, or unless immediate security needs require  
5 alternate or modified procedures. Following any necessary  
6 modified or alternate security procedures, treatment of the inmate  
7 or ward shall be effected as expeditiously as possible.

8 Nothing in this section shall be construed to prevent a registered  
9 nurse from questioning, or seeking clarification of, an order from  
10 a physician that in the professional judgment of that nurse  
11 endangers patient health or safety, or otherwise is contrary to the  
12 professional ethics of the registered nurse.

13 (b) Any person who violates this section shall be subject to  
14 appropriate disciplinary action by the department.